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Wednesday 5 April 2017

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Mercredi 5 avril 2017

Standing Committee on the Legislative Assembly

Use of technology

Comité permanent de l'Assemblée législative

Utilisation de la technologie

Chair: Monte McNaughton
Clerk: William Short

Président : Monte McNaughton
Greffier : William Short

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLYCOMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE

Wednesday 5 April 2017

Mercredi 5 avril 2017

The committee met at 1300 in committee room 1.

USE OF TECHNOLOGY

The Chair (Mr. Monte McNaughton): Good afternoon, everyone. Welcome to the Standing Committee on the Legislative Assembly. We're here to discuss, first off, the use of technology in the legislative chamber and in committees. I thought, I would, if it's okay with the committee, just turn it over to Will for a quick recap of where we're at.

The Clerk of the Committee (Mr. William Short): Good afternoon, everyone. Just as an update, we sent an email out to everybody this week with a couple of updates.

We had had a request from one of the members of the committee to update the 2006 technology review report from the Legislative Assembly committee in terms of what other jurisdictions were using for guidelines for technology in the chamber and in committees. Myself and our table research clerk endeavoured to do that, and got jurisdictions across Canada to give us an update. You received that, and you received the letter again, which was actually from the Speaker requesting the committee to take a look at this review to begin with.

If you look the 2006 report, that report was presented and wasn't adopted in the chamber, so I think that it would probably be a very good starting point when the committee is going to look at those guidelines, and probably some modernization of the recommendations—updating—along with any other ideas that the committee has going forward.

That's where our office was with what you had requested. It has all been distributed, and now it's in the committee's hands.

The Chair (Mr. Monte McNaughton): Can we get some feedback on where the committee wants to go with this and how we'd like to proceed? Ms. Kiwala?

Ms. Sophie Kiwala: I think that since we haven't had a lot of time to look at the material, we're hoping to defer so that we can take some time and review the material.

The Chair (Mr. Monte McNaughton): Any other comments? Ms. Scott.

Ms. Laurie Scott: We had a subcommittee meeting, Sophie, before, you probably know—so we have booked the rest of this session with Bill 87.

I would like to look at the recommendations today. It's technological updates; let's deal with it. Let's look at it

right now. Let's go through the recommendations. Is that what you were recommending?

The Clerk of the Committee (Mr. William Short): If that's the committee's decision.

Ms. Laurie Scott: Let's make some—I think it's all just common-sense updates that we need to make.

The Chair (Mr. Monte McNaughton): Any other comments?

Ms. Laurie Scott: I don't know if everyone has the report here with them. This might be a problem.

The Chair (Mr. Monte McNaughton): We have extra copies. The Clerk has extra copies.

Any further discussion? Mr. Mantha.

Mr. Michael Mantha: Sure. I think we came prepared, based on our subcommittee meeting, that we were going to at least proceed to having the discussion and to having a review of some of the information that has been provided to us—comparisons between different Legislatures and House jurisdictions—and to have a discussion on those as to how they apply to renewing the ones that had been generated; and looking at moving forward with the intent of reviewing and accepting—or potentially accepting—rules of how we're going to proceed with the technological updates and our devices within the context of the Legislature and the roles that we have as MPPs. At least that's what I left with from the subcommittee meeting, which was why I reserved our time this afternoon and potentially the next couple of meetings that we're going to have as a committee. That's my thought.

The Chair (Mr. Monte McNaughton): Okay. Further comments? Ms. Scott.

Ms. Laurie Scott: I just want to highlight again that this is kind of it. If we could look at these recommendations, or take a few minutes and just look at the recommendation part just to see if it's reasonable and talk to who needs to be talked to—but really, if it's in any way possible that we could do it today, to deliver back to the Speaker—because otherwise, we're not going to do this until fall.

The Chair (Mr. Monte McNaughton): Ms. Kiwala.

Ms. Sophie Kiwala: Let's have a look at the recommendations, and then see what we think at that time.

The Chair (Mr. Monte McNaughton): Ms. Wong.

Ms. Soo Wong: Thank you, Mr. Chair. Through you, to the staff, I'm just going through that report that was dated back when the Chair was Mr. Delaney. On pages 2 and 3 are a series of recommendations there. Can we hear

from staff, if some of these recommendations are already being done informally? You know what I'm saying?

For example, on page 3, there are the comments here about MPPs with disabilities. That jumps right in my head, in terms of ensuring our colleagues with a special device that they need—has that been asked? Can we hear from staff on these recommendations so that we can get an update?

The Chair (Mr. Monte McNaughton): I'll turn it over to the Clerk.

The Clerk of the Committee (Mr. William Short): If you look under the recommendations of the 2006 report, on the second page of the recommendations—so page 3 of the report—at the bottom, you see “Second recommendation” and “Third recommendation.” Since this report, obviously we have WiFi in the main building and we have it in the chamber. So that second recommendation would be obsolete now because we are already doing that. The same with the third recommendation: There is already a policy in place for smart phones and tablet devices. We wouldn't need to look at that recommendation either, as those two items are already in place.

When you go through, going back to page 2, and you look at the first recommendation, it would be up to you to have a discussion about what you consider more up-to-date technology. Obviously, things like pagers and PDAs are sort of a thing from the past, and we're now dealing with new technology like tablets, iPads and smart phone devices etc.

Mr. Michael Mantha: And WhiteBerrys for my friend Mr. Bradley.

The Clerk of the Committee (Mr. William Short): Right. So I think it would just be a discussion that the committee would have about how these could be modernized and updated. That's what the Speaker is looking for so that he could have a list of guidelines so that he's not working off of—there's nothing particularly in the standing orders; however, there have been a number of Speakers' rulings and statements over the years that have dictated how the House is governed today.

I think if the assembly had some guidelines, that would benefit the Speaker with how to deal with these devices and issues in the chamber and in committee.

The Chair (Mr. Monte McNaughton): Any further comments? Ms. Wong.

Ms. Soo Wong: Like I said, when I received this, I read it through. I still have a lot of questions. I also read—thank you to the staff—the comparison from the different jurisdictions and our colleagues in the House of Commons and other Commonwealth countries.

For example, I think the piece that I'm interested to hear from staff is: What are considered best practices? Because what I constantly read in these charts that the staff prepared is: no obstruction, no noise. I appreciate that this is the 21st century; technology is here.

The whole issue of privacy, Mr. Chair—I recognize that some of these devices that were being recommended in 2006 helped members with disabilities. They need to

be accommodated, because there's more accommodation and support.

I'm just not clear, from this report, because I did read the entire comparison chart, what are considered best practices? Because if we're going to go make some recommendations to the Speaker, I would like to recommend things that would be considered best practices. Do the staff have any comments?

The Chair (Mr. Monte McNaughton): I'm not sure how we can speak to other jurisdictions' best practices.

Ms. Soo Wong: In terms of Legislative Assemblies around the world—I read, from what staff shared with us, no noise; if there is a computer or a tablet that is brought into the chamber, it's in silent mode.

The conversation right now—I know some of my colleagues are grappling with how can we not use our phone. When we're reading a statement or when you're trying to do a debate, you want to use a device to add to the discussion and improve your debate. Is that considered a best practice, versus a hard copy? Those are the conversations.

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Then if we use this device—because Hansard asks us to submit a piece of paper, do we hand the phone or the device? That kind of stuff.

The Chair (Mr. Monte McNaughton): That's the discussion we need to have. We need to develop our own best practices here in Ontario. I think that's what this committee set out to do when it comes to this report. Mr. Mantha?

Mr. Michael Mantha: Just grabbing a look at what other jurisdictions, as far as what they're using as policy and guidelines—I think that everybody went through it—one is that they're off, that they're not intrusive and that you don't hear them. That's one of the best practices that is common between all of them. Number two is that they're not used during ceremonial or throne speeches, that they're not there, they're not to be used. That's another one that I picked up through this process, that in the ceremonies, they're not used during those either. One of the other practices that I picked up through reading through this is that, yes, there is full use of those devices during committee work, which is one that is more highlighted through most of the jurisdictions.

We can establish our own best practices. I know you were deep into your document earlier, but I did put a shout-out for you because I do know that you still like to use your WhiteBerry, so we want to make sure that that's included as well. Those are some of the things that I think we can come up with and give back to the Speaker as far as what we want to do and how we want to proceed, and those can be reflected in the new updated guidelines that we're going to have.

I don't think anybody out there has a best practice that's established. There are quite a few good guidelines that are there, and I think that as a committee that's our role to come up with what we would like to see reflected in our guidelines.

The Chair (Mr. Monte McNaughton): Ms. Scott?

Ms. Laurie Scott: In the recommendations that we have before us, which are seven—can we go through them one at a time and say if we agree or don't agree? I think we need the Speaker—we can give this very—

Mr. Robert Bailey: Narrow it down.

Ms. Laurie Scott: Yes.

The Chair (Mr. Monte McNaughton): It can get more focused.

Ms. Laurie Scott: I think that because this has already been debated and discussed and recommendations created, right?

Mr. Michael Mantha: I would agree with that. We've already gone through three of them. We can eliminate some of them which are redundant. So why don't we start that as step one?

The Chair (Mr. Monte McNaughton): Okay, I'll turn it over to the Clerk just for a quick comment on the report writing.

The Clerk of the Committee (Mr. William Short): We can just have general discussions about this going through it, or if we are actually going to be doing report writing on this, we could do report writing on this and give directions to our table research clerk to come up with a draft report and work through recommendations; not necessarily finishing them all today, but at least we would get something. Then the table research clerk could go away with that and prepare a draft report to come back to the committee.

Mr. Michael Mantha: I would like something like that, just a narrower discussion as far as him giving us a little bit of direction, as far as what we can actually get accomplished.

The Chair (Mr. Monte McNaughton): Mr. Bradley?

Mr. James J. Bradley: If I can offer an overall comment, I know I come at this from a bit of a different perspective, but I remember a discussion taking place in the House leaders' meeting with Bob Runciman, who was the House leader for the Conservatives; Peter Kormos from the New Democratic Party; and I. It was at a time when it was turned down.

One of the comments that Mr. Kormos made which I thought was quite salient was that the distraction that electronic devices are providing for members of the Legislative Assembly. It's not only there, it's elsewhere as well, but there are distractions that take place, so that members are barely paying any attention to what's going on in the House at all at the present time, with the speeches going on. There are certain members who can't wait to be tweeting something out right away. They're not paying attention. The debate is almost meaningless. I'm not saying there aren't other distractions, because there are. I recognize that. But it seems to me that with the advent of many new electronic devices, people are totally preoccupied with that and not with debate.

I know Mr. Kormos was particularly annoyed with one of his own members who wasn't paying attention and, as a result, the New Democratic Party was in a position where it had to beg for forgiveness from the rest of the House and have something redone.

I thought his observations were accurate. Now, Peter had a different approach. He was very consumed in the debate of the House at the time. You didn't see him with electronic devices. You didn't see him being preoccupied in that way.

I think what is happening in the House—and it's all members of all parties; it's not that one party does it and the other doesn't—is that there is great distraction in the House now and very little attention being paid to the deliberations. As I say, people could be distracted with other ways. I understand that.

I see this happening in meetings—it's a bit of a diversion from this topic—when we're sitting around, particularly with staff members. Nobody is paying attention. They're all on their electronic devices. Nobody is talking to one another. It's annoying to me, at meetings of that kind, when I see staff members in particular—not Legislative Assembly staff, but other staff members. I've been to meetings where I just watched them, and they're just not paying attention.

There's this total distraction that's out there now, and I think it detracts from the debates in the assembly. The Speaker has been tolerant of it, because I have asked different people who have different electronic devices—some more visible than others, let's put it that way—how they get away with it. I've watched those members, and they're doing what they want to do. That's fine. But they're not paying attention to what's going on in the House.

That would be my challenge or problem for more electronic devices in the House. Then they evolve, so that people start reading from them and so on. It makes the Legislature even more irrelevant than people believe it to be today. I'll leave those remarks on the table.

The Chair (Mr. Monte McNaughton): Ms. Wong.

Ms. Soo Wong: A couple of things: I'm fine with having the Clerk or the staff prepare a draft report on this particular piece. I think, as part of the discussion, I also want to go back to my own caucus. When I bring this piece here—which is only fair, because when we make a decision here, it's not just about however many of us are sitting here at the table.

The other piece: I think, if we're going to provide direction to the Speaker, we also maybe need to—to Mr. Mantha's suggestion—set up some criteria that we already have some agreement on—

Mr. Michael Mantha: Proper decorum.

Ms. Soo Wong: Pardon me? Decorum and etiquette.

But I wouldn't want my colleagues to not be consulted. I'm happy that we can have this conversation and have something drafted. That way, we have some tangible things to take back to our own people, so that we have this conversation—unless I'm wrong. But I'm okay with the draft report.

The Chair (Mr. Monte McNaughton): Any follow-up? Any further comments? We're fine with doing the draft report. We just need some direction from the committee for our table researcher as to what's included.

Ms. Soo Wong: Okay, I like what he said.

The Chair (Mr. Monte McNaughton): Mr. Mantha, were you going to say something about decorum?

Mr. Michael Mantha: No, I'm fine. I just wanted actually to echo some of the comments that Mr. Bradley brought forward. Sometimes—and we're all guilty of it; I know I have been—I've sat in my chair and I've looked at my phone. I've received some comments from constituents back home, who are either watching on TV or are sitting in the gallery. The comments that come up are: "Why are you guys not paying attention to the debate that is going on? Why is everybody looking either at a newspaper or at a phone? Nobody seems to be listening to the person who is talking." I hear that quite often.

Decorum is going to be really important, and also etiquette. If we're going to go down the avenue, which I presume that we are, that we're going to come up with some kind of a process or an idea or permission to have several electronic devices, in the back of my mind, I still keep thinking about how this looks for others who are coming to visit our place of work here, who are coming to the Legislature, and how it reflects on us when we are not actually engaged. What I mean by engaged is, listening to the debate or actually participating in the debate, or being just too busy wondering when that next awesome tweet is going to go out. I think all of us need to have that serious discussion about how it reflects on us, because it does, whether we choose to accept it or believe it or not.

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There are a lot of people who are watching us, and it reflects poorly on us when we are not engaged or not paying attention to the serious concerns that are coming from all of our ridings. I would like to think that you're sitting on the edge of your seats when I'm standing on behalf of the good people of Algoma-Manitoulin, bringing their views forward. When they're watching TV and they're looking around me, looking at some of my colleagues or others in the House who are more interested in what's going on on their Facebook or sending out a tweet, it hurts all of us, not just me. It hurts all of us.

Having that frank discussion about what decorum is going to look like and what's going to be proper etiquette, I think, is going to be key in developing this policy.

The Chair (Mr. Monte McNaughton): How would the committee feel if the table research clerk pulled out the outdated items and inserted, from the other jurisdictions, what they're doing? Then, following Bill 87, we would have a more detailed discussion on that, and we could work off of an updated draft.

Ms. Kiwala, I think you were first.

Ms. Sophie Kiwala: An updated draft would be great, but it would also be great to encompass, perhaps, the comments that are coming out now as well.

Just to echo some of what has been previously said by MPPs Bradley and Mantha—and what you've said—it brings up a whole discussion about decorum in general, but that's a whole other topic.

With specific relation to paying tribute to deceased members, their families are in the galleries and they are watching us. It doesn't matter where they sit or what side of the House is talking and paying tribute to a member, it's disgusting for those family members to see one person on a phone. I don't care what is happening, if we cannot stop electronic communication for 15 minutes—five minutes a side—there's something seriously wrong.

If we're going to talk about decorum, that's a much larger subject. How encompassing should that subject be? I think it's a very important discussion to have.

I met with the Ontario Psychological Association yesterday when they were here. We were having a discussion about what their impressions were of what was happening in question period. The week before last it looked like a couple of people might have come to blows in the chamber. I said to them, "If I saw that in the street, somebody coming close to having a physical altercation, I would go the other way." But this is happening in the chamber. I wasn't elected to be dealing with that kind of decorum, or the lack of it. It's not great.

The Chair (Mr. Monte McNaughton): Certainly, well said—

Ms. Sophie Kiwala: I know it's a bigger subject.

The Chair (Mr. Monte McNaughton): It's not about electronic devices but the point is well taken. Ms. Wong?

Ms. Soo Wong: As the staff are trying to help us to draft this report, I want to make sure we capture what the Clerk said: Recommendations 2 and 3 are already completed from the draft report.

I think the other piece is that some of the recommendations, numbers 1 through 7, on pages 2 and 3—particularly the area of members with a disability—have to be put in a higher order in terms of compliance with the AODA. That's one piece.

My colleague Ms. Kiwala just mentioned her expressions of concern about the use of electronic devices during tributes. I would say any tributes, not just to members. We recently did a tribute to veterans, and to Vimy. Do you know what I'm saying?

It's that whole conduct of behaviour. That's a bigger issue, Mr. Chair.

The Chair (Mr. Monte McNaughton): We could get that during report writing as well. There are these temporal restrictions on portable computers. We could update that for sure.

Ms. Soo Wong: Yes. You know what I'm talking about.

The Chair (Mr. Monte McNaughton): Mr. Bradley was next.

Mr. James J. Bradley: This is somewhat of a non sequitur, but we have a very tolerant Chair, I know. It said if the Speaker is "satisfied that the MPP is using it as a prop instead of as a speaking aid," so I see the word "prop" come in there.

One of the things we may want to look at in the Legislature is the use of props. I think we're far too restrictive in their use. I don't mean silly props—we all have those little things we do—but at one time, there were all kinds of props that were used, that I thought were sometimes

over the top but quite legitimate. I guess that, particularly with the advent of television in the House in 1985, they wanted to avoid some of that.

But we are very restrictive on props. For instance, from your riding, if you had a local newspaper that had a headline that said something, and you wanted to say, "In my own newspaper, it says this," it's not that you'd wave it around, but we are quite restrictive on the use of props. I know that's more of a benefit to the opposition than to the government, maybe, but I think there is a time when we should be looking at—I don't see the electronic devices being a prop, but other things being used, with some discretion, because we're so very restricted now in anything that you can do.

Or a book: If someone just wrote a book on Manitoulin Island, and you want to hold the book up, the Speaker is probably going to call you out of order. He has been a bit benevolent sometimes.

Mr. Michael Mantha: Or a jug of maple syrup.

Mr. James J. Bradley: Yes. I introduce that only as saying that where there is room for some loosening of the laws, it may be with some restricted use of so-called props by individual members of the Legislature.

The Chair (Mr. Monte McNaughton): Just before I go to Ms. Scott, and back to what I asked the committee a little while ago, is the committee in favour of pulling out the obsolete, outdated items and then coming back with a new draft for report writing after Bill 87? Okay.

Ms. Scott?

Ms. Laurie Scott: After Bill 87, we're done, so it's not until fall. I just want to point that out to you. We just booked the entire session again. We booked the entire session.

I appreciate the information that was shared here, but really, we're outdated. The Speaker asked us in the letter to update, so that he had more guidance. I don't think there's anything really harmful with the recommendations that are before us, except for the outdated part.

When we start meandering around about, "All right, do we take everybody's BlackBerry when we do tributes?"—I mean, what are you going to do? Ban people's BlackBerries for tributes? That's a possibility. And are you going to restrict everybody? I mean, it goes on now, using the BlackBerry. If you want everybody's attention on everything—and I don't disagree with what you're saying, that attention needs to be paid—you're basically going to have to take the BlackBerry away from everybody every day.

The discussion that I heard is, basically, that's the only solution to what you're saying, because you can't make them all pay attention unless you actually take the BlackBerry. We just all know it, right? We all have busy lives; we're all on. I mean, I'm guilty. I'm not saying I'm not guilty. I'm guilty.

But the Speaker wanted us to update. There are some practical recommendations here, and I think that we've gone off course—

The Chair (Mr. Monte McNaughton): That would be the discussion that we would have in camera, during report writing.

Ms. Laurie Scott: Which will be in the fall—just to let you know again.

The Chair (Mr. Monte McNaughton): Mr. Dickson?

Mr. Joe Dickson: I hate "Mister."

The Chair (Mr. Monte McNaughton): MPP Dickson?

Mr. Joe Dickson: No, I hate that. Just Joe.

Mr. James J. Bradley: He has to use the proper terminology, as Chair.

Interjections.

The Chair (Mr. Monte McNaughton): Did you have a comment?

Mr. Joe Dickson: We can replace the Chair.

Mr. James J. Bradley: No.

Mr. Joe Dickson: I'm kidding.

I was chatting with somebody on the elevator on the way up. I said, "Wouldn't it be kind of nice? You've got 100-plus members. Just get them to do a little questionnaire for themselves, the top 10 items, just a yes or no answer." You may have done that on the first go-round; I'm not sure and I can't remember, quite honestly.

But obvious things: Do you agree with best efforts? Should electronic equipment—validate it must be silent; silence is imperative. And for all members, a simple yes or no. Would they agree with—and don't forget you're asking them to say yes or no—communication with the outside world while the Legislature is in business? If the Legislature is doing business, should the members not express an opinion that says it's appropriate or inappropriate to have communication with the outside world while the Legislature is sitting? Some simple things.

The Chair (Mr. Monte McNaughton): I know we talked earlier on in this process about taking this to caucus in advance even of this meeting, for a discussion to get feedback. But if we move to a draft report, there would be an opportunity then to go back to each caucus as well, while we're forming the recommendations.

Mr. Joe Dickson: I would just like to see something uniform across all parties.

The Chair (Mr. Monte McNaughton): That's what the committee would do.

Is everyone in agreement, then, that we'll turn this over to the table research clerk for a draft report and then come back? We have, I think, six weeks of Bill 87. Ms. Scott is right: It would mean that this would come back in the fall. But at least we can advise the Speaker that the wheels are in motion.

Ms. Scott.

Ms. Laurie Scott: My last attempt: Is there anything there that you could pass now? I've talked with my caucus. I mean, the fact that we're not able to read off of a laptop—we're a little archaic. Are there not a couple of things to help the Speaker and help our members? What member doesn't want to be able to read off a laptop? They don't all have to do it, but I'm just saying, you've seen the—

The Chair (Mr. Monte McNaughton): I was just going to say we'd have to report back on the entire document.

Our next meeting will be next Wednesday at—well, we think 12:30 until 3 o'clock, to begin public deputations on Bill 87.

Mr. Joe Dickson: Which day is that?

The Chair (Mr. Monte McNaughton): Next Wednesday, April 12, at 12:30.

Okay. Thank you, everyone.

The committee adjourned at 1333.

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